

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
February 23, 2017

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**STUDY SESSION**

***Present:** Chair Heather Barnum, Commissioners Connie Deianni, Kent Hinckley, Alex Leeman, and Rebecca Wayment, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Commissioner Bret Gallacher was excused.*

**Item #3. Jerry Preston/Elite Craft Homes – Requesting Final (Minor) Plat Approval and a Recommendation for Final PUD Master Plan Approval for the Smith Homestead PUD Subdivision**

**Eric Anderson** said this item is for approval of a minor (final) plat and final PUD master plan for the Smith Homestead PUD Subdivision. He said the applicant is wanting to do a 3-lot subdivision, which includes preserving an existing historic home on one of the lots and creating two more additional lots. The subdivision has to go through the PUD process if there is a shared driveway accessing more than one lot, like what is being proposed for Lots 2 and 3. **Eric Anderson** said PUDs require 10% open space or preservation of an onsite building that is eligible for the National Register for Historic Homes, which is the case with the existing historic home on Lot 1. The applicant will be preserving the home in lieu of the 10% open space requirement. Staff is in support of this as they feel preserving the home is more important than 10% open space on a 3-lot subdivision. **Kent Hinckley** asked if the applicant will be keeping the original rock portion of the historic home or the entire structure including the more recent addition to it. Staff was unsure, but they are confident the preservation of the home will be a win-win for the City, the community and the applicant. **Connie Deianni** asked if the applicant will be keeping or selling the lots. **David Petersen** said he is under the impression the applicant will sell them, but the applicant is working closely with the original property owner Dorene Smith's family in the process of the development.

**Connie Deianni** asked if there are any concerns with fire truck access with regards to the shared driveway. **Eric Anderson** said the applicant is working with the City's Fire Marshal to determine the best solution for fire truck access to Lots 2 and 3. He said the Fire Marshal may support expanding the driveway to allow for fire truck access, and that Condition #1 is included to ensure the issue is addressed.

**Heather Barnum** asked what oversight is in place to ensure the applicant does in fact preserve the historic home and does not change his mind to move forward with the 10% open space requirement. **Eric Anderson** said if the applicant decided to not preserve the home and to move forward with open space, it would change the PUD Master Plan, which would result in the applicant coming back before the Planning Commission for approval of a revised plan. He said the PUD approval is a legislative decision. **Heather Barnum** asked if a condition could be included to the motion that would state the historic home must be preserved; staff was comfortable with the additional condition to the motion.

**Item #4. Joel Anderson – Requesting a Recommendation for Plat Amendment Approval for the Held Subdivision**

**Eric Anderson** said the applicant wants to amend the Held Subdivision by converting two duplexes into four condominium units. The application is for both a plat amendment and a subdivision because new lots (or in this case, “units”) are being proposed in the existing subdivision. The applicant is proposing to place a property line through the center of Lots 1 and 2, between the shared wall of each duplex unit respectively. At some point, an illegal subdivision was created and recorded on Lot 1; however, the subdivision never went through the City and the plat was not amended properly. The current application seeks to rectify this oversight, and to bring the lot split into compliance with the City code. **Eric Anderson** also pointed out that in order for the subdivision amendment to be complete, the applicant will have to retrofit the duplexes as condos have different building code requirements that must be met. Eric Miller, the City Building Inspector will ensure the buildings are brought up to code.

**Item #5. Dave Clarke and Peter Robbins – Requesting a Recommendation for Zone Text Amendment of Section 11-14-050 of the Zoning Ordinance**

**Eric Anderson** said this Zoning Ordinance amendment is being requested by the applicant for an assisted living center with “patio homes” also included as part of the project. The applicant is proposing the project on the property located on Frontage Rd. as it intersects with 200 W. Staff feels this project would be a good use for this specific property. The current BP (Business Park) zone allows for residential facilities for the elderly; however, it does not allow for single-family homes. **Eric Anderson** said the only other option to move forward with the project would be to propose a PUD; but, a residential development in the BP zone has to be at least 5 acres in size and this property is just over 3 acres. He said lowering the minimum PUD size to 3 acres would allow the applicant to at least propose the project. **Eric Anderson** said the change would not impact any other parts of the City as the BP zone has few lots remaining to be built out, but the remaining lots are under 3 acres. He also pointed out that PUDs are a legislative act, which allows the governing bodies to determine if they feel the proposed project fits well in the area or not.

**Kent Hinckley** asked why the minimum size of a for a residential development was set at 5 acres in the BP zone. **David Petersen** said he did not know, as it was set a long time ago. **Connie Deianne** asked if the applicant can meet all the required setbacks with an assisted living facility and patio homes. **Eric Anderson** said the applicant feels they are able to; however, without this change, the applicant cannot even submit an application for the project for review by the Planning Commission. **Rebecca Wayment** asked what the consequences would be if the change is made and then the applicant chooses not to move forward with a PUD. **David Petersen** said the change only gives the applicant the ability to propose a PUD, but the approval of the PUD still lies with the City.

**Eric Anderson** also said that traffic from assisted living facilities is very low, and other business park type uses could be more impactful on an already busy intersection within the City. **Heather Barnum** feels that Condition #2 (stating the proposed use is a good fit for this location) should be removed as the item being voted upon is just a zone text amendment and is not a consideration for a specific use.

**Item 6A. Stan and Amydee Fawcett – Special Exception for a Shared Driveway**

**Eric Anderson** said the applicant is building a new home on an existing lot adjacent to another property owner. The lot is located in a cul-de-sac, and the applicant is proposing a shared driveway with the adjacent property owner. The applicant’s lot does not have much buildable area, and a driveway would take up a portion of the lot. The applicant is proposing to have their garage on the side of their home, and the shared driveway makes it possible to do so. Also, having the shared driveway means one less curb cut in the cul-de-sac, which is preferable for the snow plows. **Eric Anderson** said staff is recommending approval with the added condition that a reciprocal access easement must be recorded

on the driveway to protect future property owners. **Kent Hinckley** asked what the elevation is from the street to the proposed home. **David Petersen** said they can determine the elevation and look at the contours of the property on the base map during Regular Session.

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## **REGULAR SESSION**

***Present:** Chair Heather Barnum, Commissioners Connie Deianni, Kent Hinckley, Alex Leeman, and Rebecca Wayment, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Commissioner Bret Gallacher was excused.*

### **Item #1. Minutes**

**Kent Hinckley** made a motion to approve the Minutes from the February 9, 2016 Planning Commission meeting. **Alex Leeman** seconded the motion, which was unanimously approved.

### **Item #2. City Council Report**

**David Petersen** gave a report from the February 21, 2017 City Council meeting. He said the City Council denied the General Plan amendment request for the Hughes property. The Candland Olsen plat amendment was also denied, but that the Residences at Farmington Hills Final PUD Master Plan was approved. **David Petersen** said there was an update to the demolition ordinance. He said prior to the change, if someone wanted to demolish a home, the person had to have the building permit for the replacement home in their hand before the demolition began. He said the update now requires a person to have the replacement-building permit and a performance bond for the full amount of the replacement building in place.

## **SUBDIVISION**

### **Item #3. Jerry Preston / Elite Craft Homes – Applicant is requesting final (minor) plat approval and a recommendation for final PUD master plan approval for the Smith Homestead PUD Subdivision consisting of 3 lots on .84 acres located at 244 East 100 North in an OTR-F (Original Townsite Residential - Foothill) zone. (S-17-16)**

**Eric Anderson** showed the aerial view of the property. He said it is located in the OTR zone, and that there is an existing historic home located on the proposed Lot 1. The applicant is proposing a three-lot subdivision preserving the historic home on Lot 1 and having a private drive on the west side of the subdivision to access Lots 2 and 3. Since the private drive will access more than one lot, the subdivision must go through the PUD process for approval. **Eric Anderson** said since the subdivision is a PUD, there is a 10% open space requirement as per the zoning ordinance; however, the ordinance allows for the preservation of homes eligible for the National Historic Home Register in lieu of the open space requirement. The applicant has agreed to preserve the historic home, and staff feels the preservation of the historic home is more valuable than the 10% open space.

**Heather Barnum** asked if the other structures currently located on the property will be removed and if the structures are historic. **Eric Anderson** said it was his understanding that the other structures are newer construction and are not historic, and that the structures will be removed.

**Cam Preston**, 14 Canyon Way, said they look forward to preserving the historic home. He said there are a few conditions to the motion of things that need to be resolved; he assured the Commission that those conditions would be met.

**Alex Leeman** said he feels what is being proposed is consistent with other projects that have been proposed in the past. The other commissioners agreed. **Heather Barnum** asked that a condition be added that the historic home will remain on the property to ensure its preservation.

***Motion:***

**Connie Deianni** made a motion that the Planning Commission approve the proposed minor plat and recommend that the City Council approve the proposed final PUD master plan for the Smith Homestead PUD Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall show and receive approval from the Fire Marshal for either a cul-de-sac or a hammer head turnaround at the end of the private street;
2. The applicant shall provide any necessary easements in the private drive in favor of Central Davis Sewer, Farmington City, and/or Benchland Water on the final plat;
3. Lot 3 shall have a minimum of 35' of frontage on the private drive;
4. Public improvement drawings, including but not limited to, a grading and drainage plan, shall be reviewed and approved by the Farmington City Works, City Engineer, Storm Water Official, Fire Department, Central Davis Sewer District and Benchland Water;
5. The applicant shall address any outstanding comments from the DRC on the minor plat prior to recordation;
6. The historic home must be preserved.

**Alex Leeman** seconded the motion, which was unanimously approved.

**Findings for Approval:**

1. The proposed subdivision matches the densities of the surrounding neighborhood.
2. The proposed schematic plan submittal is consistent with all necessary requirements for a minor subdivision as found in Chapter 5 of the City's Subdivision Ordinance.
3. The proposed PUD master plan is consistent with the intent of the PUD ordinance as found in Chapter 17 of the Zoning Ordinance, including but not limited to the preservation of an existing historic home in lieu of the open space requirement.
4. Because the proposed subdivision is in the OTR zone, the applicant will need to meet the standards for new construction as set-forth in 11-17-070 of the Zoning Ordinance at the time of building permits. Additionally, compliance with the above cited section will meet and exceed the PUD design standards as set forth in Section 11-27-120(h)(3) of the Zoning Ordinance because the standards in the OTR zone are more specific and more stringent for new construction.

**Item #4. Joel Anderson (Public Hearing) – Applicant is requesting a recommendation for plat amendment approval for the Held Subdivision converting 2 existing duplexes to 4 condominium units on .39 acres of property located at 57 West 600 North in an OTR (Original Townsite Residential) zone. (S-1-17)**

**Eric Anderson** showed the aerial map of the property. He explained at some point there was an illegal subdivision created between the duplex. He said a lot line was recorded at the County Recorder and two tax ID numbers were assigned, but that the lot line was not approved by the City, which is why the applicant is now seeking retroactive approval. **Eric Anderson** said the notices were sent out stating the applicant would like to make 4 condo units out of the 2 duplexes, but there is one property owner that would like to remain as a duplex. **Eric Anderson** said this is simply cleaning up an existing problem so staff is in support of its approval. He also said that the applicant may need to comply with more stringent building code requirements to retrofit the duplex into condo units.

**Joel Anderson**, 57 W. 600 N., said the duplex has been treated as two separate lots by the County, banks, title company, and more; however, since it did not meet the City's criteria, he submitted the application.

**Heather Barnum opened the public hearing at 7:22 p.m.**

No comments were received.

**Heather Barnum closed the public hearing at 7:22 p.m.**

**Kent Hinckley** said he feels like approving this item is a reasonable thing to do. **Connie Deianni** agreed as she feels it would just be correcting something that should have already been done in the past.

***Motion:***

**Rebecca Wayment** made a motion that the Planning Commission recommend that the City Council approve the plat amendment and condominium subdivision for the Held Subdivision subject to all applicable Farmington City ordinances and development standards, and the following condition: the applicant shall meet all requirements of the building department and building code to retroactively bring the buildings into compliance with the requirements of a condominium unit. **Kent Hinckley** seconded the motion, which was unanimously approved.

**Findings for Approval:**

1. The proposed plat amendment meets the requirements of the Subdivision and Zoning Ordinance.
2. The affected subdivision has already installed all required improvements.
3. The proposed plat amendment is bringing an illegal subdivision into compliance with the Zoning Ordinance.
4. By creating condominium units, the property owners will be able to offer the units for sale and not just for rent.

**ZONE TEXT AMENDMENT**

**Item #5. Dave Clarke and Peter Robbins (Public Hearing) – Applicant is requesting a recommendation for zone text amendment of Section 11-14-050 of the Zoning Ordinance related to the minimum required property size for a planned unit development in the BP zone. (ZT-1-17)**

**Eric Anderson** said the applicants are proposing a zone text change to Chapter 14. He said the applicants would like to purchase the property located on the Frontage Rd where it intersects with 200



West. He said the property is currently zoned BP, and the applicant wants to build an assisted living center on the front portion of the property with patio homes toward the back of the property; however, single-family homes are not allowed in the BP zones. **Eric Anderson** said the applicant will have to pursue a PUD for their project; however, Chapter 15 of the Zoning Ordinance does not allow for any residential developments under 5 acres. The potential property for the project area is 3.3 acres. The applicant is proposing to decrease the minimum lot size for residential developments to 3 acres; staff is comfortable with the change. **Eric Anderson** said the change would allow the application to submit an application to propose a PUD, which is discretionary and legislative. He also pointed out that there are 2 other parcels remaining in the BP zone, and both parcels are under 3 acres so the change does not “open the door” for any other properties.

**David Clarke**, 1786 County Cir, Centerville, said they would like to propose a small assisted living facility with approximately 8-9 smaller patio homes for the 55+ adult community. He said the zone text amendment allows them to at least submit the application for review.

**Heather Barnum opened the public hearing at 7:28 p.m.**

No comments were received.

**Heather Barnum closed the public hearing at 7:28 p.m.**

**Rebecca Wayment** said she is always a little hesitant to make a zone text change without an application presented with it; however, after hearing the plans for the property and knowing the size and shape limitations the lot has, she feels comfortable with the change knowing it is not opening the doors for anything egregious to come in. She is comfortable approving the change to give the applicant the opportunity to submit an application. **Heather Barnum** agreed; she feels since the BP zone is small, it only has two remaining parcels under 3 acres in it, and the approval of a PUD is discretionary, the City won't get something it does not want with this zone text change. **Kent Hinckley** and **Connie Deianni** agreed; but **Connie Deianni** said she would like to strike the finding regarding how a residential facility for the elderly is a good use. She said she is not comfortable putting forth what the Commission thinks will happen on this lot, as what is being proposed is simply a zone text change.

***Motion:***

**Connie Deianni** made a motion that the Planning Commission recommend that the City Council approve the proposed zone text amendment to Section 11-14-050 as written in the staff report above. **Rebecca Wayment** seconded the motion, which was unanimously approved.

**Findings for Approval:**

1. Amending the minimum area required for a planned unit development to a lower threshold, will give future applicants more flexibility with design, and increase the opportunity for in-fill development within the BP zone.
2. Planned Unit Developments are legislative decisions, and thus discretionary. The applicant will still be required to receive legislative approval for his site plan and the use; this zone text change allows the applicant to move forward with his application for review by the City.
3. The zone text change has no affect the ultimate decision as to whether the PUD will be approved or denied; it simply gives the City a chance to review any such application in the future.

4. Only two other vacant properties exist in the BP zone within the current city boundaries: a 1.8 acre parcel at 200 West south of Horizon Credit Union, and a .38 acre parcel at the northeast corner of Park Lane and Main Street; neither site exceeds 3 acres in size.

## OTHER

### *Motion to Move Agenda Items:*

Alex Leeman made a motion that the Planning Commission consider Item #6b prior to considering Item #6a. Connie Deianni seconded the motion, which was unanimously approved.

**Item #6. Miscellaneous b) Scott Arrington / CenterCal (Public Hearing) – Applicant is requesting a recommendation to amend the existing development agreement with the City by including 5.76 acres, adjacent to Cabela's and abutting the north side of Park Lane, as part of its overall 64 plus acre Station Park site plan / project master plan (PMP). (SP-1-16)**

David Petersen said the applicant, CenterCal, entered into a development agreement with the City in 2007 to create what is now known as Station Park. CenterCal is now requesting their 5.76 acres adjacent to Cabela's be included as part of the Station Park agreement. David Petersen said the 2007 agreement was adopted prior to the City's new form-based codes as found in Chapter 18; however, the agreement did contemplate the possible expansion of the original Station Park site, which will be referenced as "Station Park West." The Station Park West site plan violates the Chapter 18 standards as the proposed buildings "back" streets instead of fronting them and not all the streets depicted are dedicated public rights-of-way. David Petersen said he feels it makes sense to carry the back of buildings along Park Lane, which is a major artillery road in this location. Eric Anderson said the purpose of the form-based code is to create walkability by having the buildings face the front of the street; however, Park Lane is not a pedestrian friendly street.

David Petersen said Section 140 of the Zoning Ordinance allows for alternative development standards to be considered as long as the City and the developer adhere to the requirements set forth. He said he feels working with the applicant's request via Section 140 allows the ordinance to remain as written without making a zone text change that could have unintended consequences. David Petersen said the applicant's site plan also deviates from the form-based code with a proposed row of shops beginning near Cabela's. The row of shops will back the dedicated ROW that goes behind Cabela's. He said the row of shops may be similar to the project on US-89 in Bountiful near Costco. Eric Anderson also pointed out that some buildings in Station Park back the street, including Zupas, Dickey's BBQ, Costa Vida and more, as per the 2007 development agreement. David Petersen said he feels what is being proposed by the applicant makes sense for this site. He said he also does not want a zone text amendment on something that could have unintended consequences, so he feels annexing this property into CenterCal's current development agreement is appropriate.

Heather Barnum said she does not want a row of back of buildings next to Park Lane; she feels since it is a major roadway, it has the ability to create an open feel in the City. She feels even the back of the movie theater creates a "closed off feel" within the City. She said there is approximately 200 acres adjacent to this property; she feels it would be hard to believe that those property owners wouldn't also have similar desires for back of buildings along the dedicated ROWs. She said she feels if this property is annexed into the Station Park development agreement, it still sets a precedence that it is okay to box in streets and eliminate the open feel the City is trying to achieve.

**David Petersen** said the City has worked hard to design streets with sidewalks, landscaping and buildings to the front as a way to bring activity and walkability to the area; however, UDOT developed Park Lane and did not allow for any of the City's interest regarding it. He said he has a challenging time seeing angled or parallel parking on the street, or outdoor dining with the buildings. **David Petersen** said that is why he felt comfortable with back of buildings backing Park Lane, and why he felt comfortable with it by development agreement. He said the development agreement route allows the City to say in the future that "circumstances were different" when situations arise when other property owners may request the same thing. **Heather Barnum** expressed concern that it may still set a precedence, and she does not want to have the backs of big box stores or hotels right along the road. **Heather Barnum** asked if the proposed buildings would be two-stories tall. **Eric Anderson** said CenterCal is proposing one-story buildings.

**Heather Barnum** asked if setbacks of the back of buildings could be included so cars do not feel boxed in while traveling next to the buildings. **David Petersen** said staff considered it; however, if the buildings were pulled back, the buildings no longer frame the ROW and the additional space would become wasted space.

**Heather Barnum** asked how big the area is behind the Cinemark movie theater. **David Petersen** said there may be approximately 20'; however, the movie theater came in under a different ordinance that no longer exists, and not under the City's new form-based code. He also added that since there were no openings in the back of the movie theater, the governing body included some "jogs" in it and planted sycamore trees to add variety to it.

**Heather Barnum** asked what the back of the building designs would be and if there would be store windows. **David Petersen** said the applicant could better answer the question; however, he feels CenterCal has done an exceptional job on designing all sides of the buildings in Station Park.

**James Steman**, 2248 Sunnyside Ridge Rd., Ranchos Palos Verde, California, said there are design challenges for the project due to the berm; however, the elevation returns to zero in the southeast corner. He referenced the site plan, as shown in the staff report. He said there will be two patios on each side of the building to create an open and inviting environment for people to be able to see into the development. He said they will spend a lot of money making the landscape nice to ensure its quality.

**Kent Hinckley** asked what the additional space is between the back of the buildings and Park Lane, as shown on the site plan. **Eric Anderson** said it is UDOT's berm. **James Steman** said it is similar to what is found on the south side of Park Lane. He said they will pay close attention to the design of the walls backing the street.

**Connie Deianni** said she appreciates the work CenterCal has done on the back of the buildings in Station Park. She asked if Station Park West will look similar in structure and design. **James Steman** said it will be different architecture; however, it will be the same type of high quality design and materials as is currently found in Station Park.

**Heather Barnum** asked the applicant where he envisions signs to go. **James Steman** said they plan to put a monument sign as an identification of tenants located in the project on the corner near Cabelas, and another in the southeast corner of the project. He said he thinks the signs may be proposed as approximately 15' high, as they do not want to overpower the site with signs, but do what to identify their tenants.



**Kent Hinckley** said he appreciates that virtually all the buildings in Station Park are well designed on all sides of the building. He would like something similar to happen on the back of the buildings in Station Park West. **James Steman** said the development agreement has development standards that must be adhered to, and those same standards would be carried out at Station Park West.

**Heather Barnum opened the public hearing at 7:56 p.m.**

No comments were received.

**Heather Barnum closed the public hearing at 7:56 p.m.**

**Alex Leeman** said he does not have a problem with what is being presented. He said he agrees with staff's comments that a 6-lane street like Park Lane is not walkable. He said he agrees with grafting this property into the development agreement, and not discussing the item as a zone text change. He said he also has a high degree of comfort with CenterCal as they have gone above and beyond to design visually appealing buildings from all sides. **Alex Leeman** said he is comfortable approving this item.

**Kent Hinckley** said he agrees; he feels Park Lane is a difficult street to have stores front it. He feels what is being proposed will be very nice. He feels Station Park is very welcoming as well, and most do not notice buildings like Dickey's BBQ backs the ROW.

***Motion:***

**Alex Leeman** made a motion that the Planning Commission recommend that the City Council approve the attached amendment to existing development agreement with CenterCal which will, among other things, incorporate the Station Park West property as part of the overall Station Park site plan/project master plan (PMP) and will enact alternative standards for this development as set forth in the proposed amendment to the agreement. **Connie Deianni** seconded the motion, which was unanimously approved.

[Note: the term "PMP" was not in use in the same way in 2007 as it is today, but is used now for purposes of consistency and compliance with the existing Chapter 18].

**Findings:**

1. Presently Chapter 18 allows buildings to back Park Lane on those portions of this street (and its access streets) that are raised on an embankment. Some of the Station Park West site meets this criteria, but not all. It is reasonable to allow all the buildings in this development to back Park Lane regardless because it is inconsistent to have some, but not all, do so; and the street is a major arterial not suited for the typical pedestrian oriented standards called for by the ordinance.
2. The developer is providing a no-build access easement area across a portion of the site in lieu of a formal public street because the triangle awkward shape of the property prevents him from doing otherwise; however, the block standards of the regulating plan will be maintained.
3. The City has approved no-build access easements in the past in keeping with the regulating plan---at Park Lane Village, and the Cabela's block.
4. Station Park is a very good development for the City and region; and it is desirable for the City to extend the Station Park brand and quality architectural elements across the street to the Station Park West site.

**Item #6. Miscellaneous a) Stan and Amydee Fawcett (Public Hearing) – Special Exception for a shared driveway to access property located at 391 S. Spencer Way from a neighboring property located at 383 S. Spencer Way in an LR-F (Large Residential – Foothill) zone. (M-1-17)**

**Eric Anderson** said the lot being discussed is under contract by Stan and Amydee Fawcett, and they are proposing to use the adjacent property owners current driveway as a shared driveway. He said the applicants have to go through the special exception process as it is required that a shared driveway obtain approval by the Planning Commission. As per Section 11-3-045, the Planning Commission shall hold a public hearing for special exceptions. **Eric Anderson** said there is a retaining wall in front of where the house will be located, which would also make it difficult and costly to build a driveway on the lot. Staff feels comfortable with the approval of this item. He also pointed out that it is beneficial for the City to have less curb cuts in a cul-de-sac as it makes it easier to plow the snow. **Eric Anderson** said there is a condition to the motion that a reciprocal access easement must be recorded prior to or concurrent with the issuance of the building permit. He said the reciprocal access easement will protect future property owners from blocking access to the other property owner.

**Connie Deainni** asked who would be responsible for liability on the driveway in the event someone other than the homeowner were to get hurt on it. **Rebecca Wayment** also added how property owners determine the bill if a shared driveway goes into disrepair. **Alex Leeman** said those issues would be set out in the reciprocal access easement. He said if the easement is silent, then the owner of the “fee land” or the Anderson’s property, would be responsible that access to the easement holder is not impeded in any way. He also reminded the Commission that this is not something that the City is thrusting on the property owner, but that the property owners are requesting this. **Alex Leeman** said any future property owners will be noticed of this and will have the responsibility to do their own due diligence to understand what they are buying.

**Heather Barnum** asked staff to check the elevation on the lot to determine if the driveway is in fact an impassible challenge. **Kent Hinckley** said the elevation did not appear to be a problem until it got to where the current tennis court located. He said from there, the elevation seemed to get significantly steeper, which could create a problem for the driveway.

**Amydee Fawcett**, 1073 Stillwater Dr., said another reason in favor of the shared driveway is that they are trying to preserve as many mature trees as possible. She said they hope to keep the cul-de-sac looking like it already is by not having to remove all the trees. She said the lot is very tight against the mountain; having access to the shared driveway would make it easier to have room for the home while still keeping a front yard instead of filling it with driveway. **Amydee Fawcett** also pointed out that there is a small 1 ½’ retaining wall, and then another 6’ retaining wall further up on the lot. She said she understands the concerns that come with shared driveways, and that they have discussed how to take care of it issues that have been brought up. **Alex Leeman** suggested to the applicant that all things discussed and considered be included in the reciprocal access easement for future property owners.

**Eric Anderson** clarified that the slope is an approximate 19% increase. **Kent Hinckley** asked if there will be some kind of walkway leading to the front of the home. **Amydee Fawcett** said yes, there will be a front walkway with stairs leading up to the home.

**Heather Barnum** opened the public hearing at 8:14 p.m.

**Dean Anderson**, 383 S. 500 S., thanked **Alex Leeman** for the recommendation he provided. He also mentioned that having a shared driveway will allow the applicant to preserve as many trees as

possible. He also said they have repoured the driveway, so no issues with disrepair should occur in the near future.

**Heather Barnum closed the public hearing at 8:16 p.m.**

**Alex Leeman** said his first reaction to this item was that it must meet the standards for a variance by showing some kind of hardship; however, this item falls under different standards in that it will not be detrimental to the general welfare of persons, does not create unreasonable traffic hazards, and is located on a parcel of sufficient size. He said he feels this request meets all of those standards.

**Kent Hinckley** would like to remove the finding stating that it is not desirable to put a driveway access onto a steep road, like Spencer Way. He said the cul-de-sac is flat, and therefore the condition should not be included. He said he would also like to remove the finding stating the less curb cuts the better; he feels if this were the case, then all cul-de-sacs would have shared driveways, which he does not feel is wanted or reasonable. **Eric Anderson** said he understands; however, the less curb cuts the better, especially in a cul-de-sac, but the City cannot require it. He feels if property owners would like to have more shared driveways, the City is ok with it.

***Motion:***

**Kent Hinckley** made a motion that the Planning Commission approve the special exception, subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall record a reciprocal access easement on Lot 9-B prior to or concurrent with the issuance of any building permit related to the subject property, and such easement shall be acceptable to the City as determined by the City Planner. **Rebecca Wayment** seconded the motion, which was unanimously approved.

**Findings for Approval:**

1. The drive approach from Spencer Way to the proposed home would be steep and require a significant amount of engineering to make it feasible and to bring it into compliance with city code.
2. Accessing the home from an existing drive is preferable to creating a new curb and road cut into Spencer Lane.
3. The proposed special exception is not detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.
4. The proposed special exception does not create unreasonable traffic hazards, and Lot 9-B in the Woodland Springs Subdivision Plat "B" where the special exception is to be located is sufficient in size to accommodate the use.

**Item #6. Miscellaneous c) Discussion Regarding Historic Ally Rose Home**

**David Petersen** explained the City owns approximately 18-19 acres in the area that used to be called "Old Farm," which is located south of the Cherry Hill interchange. A developer previously went through the development approval process, but ran out of money after the site plan was memorialized by development agreement. He developed some housing, and lost a portion of the property to the bank and sold the remaining property. The City had some RDA money sitting in a low interest bearing account, so the City purchased some of the property back from the bank as a way to "control the destiny" of the area without having to wait and see what a developer proposes. **David Petersen** said that was 5 years ago, and the City has not yet wanted to move on the property they own. At the north side of the property, there is an old home on the corner of the property near the 4-way intersection in

close proximity to Chery Hill. The old home is owned by UDOT, which has proved challenging for individuals to move on preserving it. He said the Planning staff received an email from the applicant that they are working to close on the property with UDOT, and that they wanted to see if the City is comfortable with their conceptual plans. **David Petersen** said it was too late to notice the item; however, he felt a discussion with the Planning Commission and Historic Preservation Commission, which also met tonight, would be appropriate.

**Andrew Gimberline** said his friend Steve Anderson has been interested in this property for sometime, but the process with UDOT has been very slow. He said Mr. Anderson loves the historic nature of the facility, and even owns the property with the sheep on it across the road. He said Mr. Anderson has a strong desire to restore the Ally Rose home; however, UDOT has said the adjacent red brick home must be sold as well. He said Mr. Anderson is comfortable moving forward if that means he has the opportunity to preserve the home, and he would possibly write into a possible development agreement with the City that the City can purchase the red brick home for access opportunities to their abutting property. He asked for any advice, counsel, or issues that might be of a concern to the governing bodies.

**Kent Hinckley** asked if Mr. Anderson would like to restore the home as a business. **Andrew Gimberline** said Mr. Anderson would like to ensure the home maintains its value, so he is open to it as long as the building is able to sustain itself. **David Petersen** said he does not think Mr. Anderson has concrete plans for the home at this point, but is seeking information on it if he thinks this is something the Planning Commission could conceptually approve.

**Heather Barnum** asked why UDOT owns the historic and red brick homes. **David Petersen** said they obtained the homes as part of the Cherry Hills interchange. He said there is concern by some that as this site develops, and the road is built into the development, the home would take the place of a strip center or gas station and may not fit well. The other thought is that the restored home could act as a type of “gateway” into whatever development that might occur.

**Heather Barnum** asked if the home would be a safe enough distance from the curb of the future road. **David Petersen** said the parcel map does not line up with the aerial map; however, based on past site plans, it can fit. **Heather Barnum** asked if the future entry point of the road into a future project would allow for a safe enough turn lane. **Andrew Gimberline** said directly to the north of the red brick home is a retaining wall that is approximately 5-15’ high. He said if that is the location of a future intersection, it would require some fill.

**Rebecca Wayment** expressed concern that the historic home may be preserved, but then is surrounded by big box retailers. She used the example of the old Victorian style homes off of US-89 in Bountiful that are now surrounded by J&L Nursery and other commercial buildings. She said she feels those homes are out of place, but wondered if preserving the home like Ally Rose could encourage preservation of other property around it for something like a farm or park. **David Petersen** said the problem with the old homes in Bountiful is that they were never rehabilitated to non-residential uses, so now they are sitting there surrounded by commercial. He said if Mr. Anderson rehabilitates the home to a non-residential use, it could act as a “gatekeeper” for any non-residential type uses. He said another example of this are rehabilitated homes on South Temple in Salt Lake City.

**Kent Hinckley** and **Connie Deianni** feel restoring the building as part of a commercial development will add to the homes sustainability

**Motion:**

**Kent Hinckley** made a motion that the Planning Commission express support in concept for what is being planned for the home with the condition that UDOT is able to move forward with the sale of the home. **Alex Leeman** seconded the motion, which was unanimously approved.

**Item #6. Miscellaneous d) Discussion Regarding "Farmington Rock"**

**David Petersen** said he has talked with the Historic Preservation Commission (HPC), and it was determined that a few members of the HPC can present information regarding the use and requirement of "Farmington Rock" in the Ordinance during one of the Planning Commission's Study Sessions. It was decided the discussion would take place during the Study Session of the April 20, 2017 Planning Commission meeting.

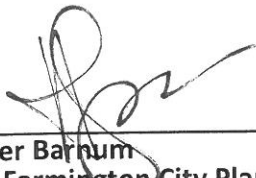
The commissioners decided the four things that need to be considered with the HPC are as follows:

1. Does Farmington Rock need to be a requirement for developments at all?
2. If historic materials are going to be required, which areas of the City should have historic materials as a requirement?
3. Is Farmington Rock the only acceptable historic material that should be required or are there other historic type materials that could also be required that are consistent with other historic areas within the City?
4. Do the requirements only apply to certain type buildings, i.e. commercial, municipal, etc.

**ADJOURNMENT**

***Motion:***

At 8:54 p.m., **Rebecca Wayment** made a motion to adjourn the meeting, which was unanimously approved.

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**Heather Barnum**  
Chair, Farmington City Planning Commission